



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

April 8, 1991

Mr. Michael H. Beeman
Records Management Officer
Ysleta Independent School District
9600 Sims Drive
El Paso, Texas 79925-7225

OR91-164

Dear Mr. Beeman:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 11638.

The Ysleta Independent School District received a request for inter alia the preliminary accreditation report from the Texas Education Agency [hereinafter TEA]. You assert that because the TEA report in your possession is preliminary and subject to change, you may withhold it. We disagree.

Although Section 6 of the Open Records Act makes certain information, including reports, public upon completion, information in the possession of a governmental body may not be withheld because it is part of a report that has not been completed or finalized. Open Records Decision Nos. 460 (1987); 407 (1984); 344 (1982) (copies enclosed). Information must be disclosed under the Open Records Act if: 1) the information constitutes information collected, assembled, or maintained by a governmental body under section 3(a); and, if so, 2) the information does not fall within one of the specific exceptions to disclosure listed in section 3(a). Id. You have raised no exception in the Open Records Act to the release of this report; consequently, it must be released.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a pub-

lished open records decision. If you have questions about this ruling, please refer to OR91-164.

Yours very truly,



Kay Guajardo
Assistant Attorney General
Opinion Committee

KHG/lcd

Ref.: ID# 11638

Enclosure: Open Records Decision Nos. 460, 407, 344

cc: Ms. Emily Jauregui
El Paso Times
Mills at Kansas
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